REMARKS

The Official Action mailed July 19, 2010, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on May 12, 2006; July 1, 2009 and February 2, 2010.

Claims 1-22 are pending in the present application, of which claims 1-3 and 9-11 are independent. Claims 1-3, 5, 9-11 and 13 have been amended to better recite the features of the present invention. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 2 of the Official Action rejects claims 1-5 and 7-16 as obvious based on the combination of U.S. Patent No. 6,246,524 to Tanaka or U.S. Patent No. 6,291,320 to Yamazaki, JP 2003-287704 to Okamoto and U.S. Patent No. 6,753,548 to Ogawa or U.S. Publication No. 2003/0063630 to Sakai. Paragraph 3 of the Official Action rejects claims 6 and 17-22 as obvious based on the combination of Tanaka '524 or Yamazaki, Okamoto, Ogawa or Sakai and U.S. Patent No. 6,545,248 to Tanaka. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found

either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claim 1 has been amended to recite moving the second laser beam relative to the irradiation surface so as to form a crystal grain grown continuously in a moving direction and independent claims 3, 9 and 12 have been amended to recite moving an irradiation surface relative to the laser beam so as to form a crystal grain grown continuously in a moving direction. Independent claim 2 has been amended to recite changing a first mode-locked pulsed laser beam emitted from a solid-state laser oscillator which oscillates a laser beam having a spectral width which is 0.1 nm or more into a second laser beam whose intensity distribution is homogenized by passing through a beam homogenizer. Independent claim 10 has been amended to recite a solid-state laser oscillator for oscillating a mode-locked pulsed laser beam having a spectral width which is 0.1 nm or more. The Applicant respectfully submits that Tanaka '524 or Yamazaki, Okamoto, Ogawa or Sakai and Tanaka '248, either alone or in combination, do not teach or suggest either moving an irradiation surface relative to the laser beam so as to form a crystal grain grown continuously in a moving direction or a mode-locked pulsed laser beam.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,

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